

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ALABAMA
NORTHEASTERN DIVISION

WILLIAM WILES HORSMAN, III,
Petitioner,

v.

GEORGE EDWARDS, Warden,
et al.,
Respondents.

Case No. 5:23-cv-601-CLM-SGC


MEMORANDUM OPINION

The magistrate judge has entered a report recommending that the court dismiss Petitioner William Wiles Horsman, III's habeas petition under 28 U.S.C. § 2254 for lack of jurisdiction because the petition is successive. (Doc. 8). The magistrate judge also recommended that the court deny the pending motion (doc. 3) on the same basis. (Doc. 8). Horsman's objections discuss only the supposed merits of his habeas claims; they do not address the magistrate judge's determination that this is an unauthorized, successive petition. *See* 28 U.S.C. § 2244(b)(3)(A); *Williams v. Chatman*, 510 F.3d 1290, 1295 (11th Cir. 2007).

After considering the record and the magistrate judge's report, the court **ADOPTS** the report and **ACCEPTS** the recommendation. The court **OVERRULES** Horsman's objections (doc. 9). The court **DENIES** Horsman's pending motion (doc. 3). The court will dismiss this petition for lack of jurisdiction as an unauthorized, successive petition. Under these circumstances, a certificate of appealability isn't required. *Osbourne v. Sec'y, Fla. Dep't of Corr.*, 968 F.3d 1261, 1264 n.3 (11th Cir. 2020).

The court will enter a separate order that closes this case.

Done on September 1, 2023.



COREY L. MAZE
UNITED STATES DISTRICT JUDGE